IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

Bail Appl..No. 4014 of 2007(R)

CRIME NO.132 OF 2007 OF THE PAVARATTY POLICE STATION COMING WITHIN THE JURISDICTION OF JFCM, CHAVAKKAD

: PETITIONERS/ACCUSED NOS. 1 AND 3

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1. RAJEEV, AGED 25, S/O.SREEDHARAN,
THACHAMKULANGARA HOUSE, POOVATHUR DESOM,
ELAVALLY VILLAGE, THRISSUR DISTRICT.

2. JENESH, AGED 24, S/O.JAYACHANDRAN,
KULATHUKAD HOUSE, POOVATHUR DESOM,
ELAVALLY VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS: STATE OF KERALA/COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
SUB INSPECTOR OF POLICE, PAVARATTY
(GURUVAYOOR) POLICE STATION, THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4014 of 2007

Dated this the 4th day of July, 2007

ORDER

Application for regular bail. Petitioners are accused 1 and 3. They face allegations, inter alia, under Sections 326 and 307 r/w 149 I.P.C. The alleged incident had taken place on 09.04.2007. The petitioners were arrested and they continue in custody from 25.04.2007. An earlier application for regular bail filed by the petitioners was dismissed by this Court as per order dated 05.06.07. A co-accused was granted bail as per the said order.

2. The learned counsel for the petitioners submits that the petitioners are innocent and at any rate, they, who have remained in custody for more than 9 weeks, may now be enlarged on bail.

3. The learned Public Prosecutor opposes the application on the short ground that presence of the petitioners at the scene of the crime is likely to disturb the law and order situation in the locality. No other ground for opposition is raised.

4. I have considered all the relevant inputs. I am satisfied, that the petitioners can now be granted bail subject to appropriate terms and conditions. To allay the apprehension of the learned Public Prosecutor , the entry of the petitioners within the jurisdiction of the Guruvayur Police Circle can be excluded.

5. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall execute bonds for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays for a period of three months from the date of their release;

iii) The petitioners shall not, except for the purpose of complying with condition No.ii above, enter the Guruvayur Police Circle, for a period of 3 months.

(R.BASANT, JUDGE)

rtr/-

//True Copy//

PA to Judge